

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, MARCH 1, 2001**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Joan M. DuBois, Dranesville District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
John B. Kelso, Lee District
Ronald W. Koch, Sully District
Ilryong Moon, Commissioner At-Large
John M. Palatiello, Hunter Mill District
Linda Q. Smyth, Providence District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Peter F. Murphy, Jr., Springfield District

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The meeting was called to order at 8:20 p.m. by Vice Chairman John R. Byers.

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COMMISSION MATTERS

Commissioner Harsel MOVED THAT THE FOLLOWING MINUTES BE APPROVED:

May 4, 2000	June 1, 2000
May 10, 2000	June 14, 2000
May 11, 2000	June 21, 2000
May 17, 2000	June 22, 2000
May 18, 2000	June 28, 2000
May 25, 2000	
May 31, 2000	

Commissioner Kelso seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioner Murphy absent from the meeting.

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Commissioner Palatiello presented a brief summary of the recommendations made by the Policy and Procedures Committee concerning the Plan Review Process. He then MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS A PROPOSED PLAN REVIEW PROCESS FOR THE YEARS 2001-2005, AS OUTLINED IN MY MEMORANDUM DATED FEBRUARY 23, 2001, WITH ATTACHMENTS.

Commissioner Kelso seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioner Murphy absent from the meeting.

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Commissioner Smyth MOVED THAT THE DECISION ONLY ON RZ-2000-PR-035, OAK STREET DEVELOPMENT CORPORATION, BE FURTHER DEFERRED TO A DATE CERTAIN OF MARCH 22, 2001.

Commissioner Koch seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioner Murphy absent from the meeting.

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Commissioner Kelso announced that the first meeting of the joint Planning Commission/Public School Facilities Committee would be held on Wednesday, March 7, 2001 at 7:30 p.m. in the Board Conference Room.

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FS-B00-89 - XM SATELLITE, 7920 Woodruff Court

Commissioner Harsel MOVED THAT THE PLANNING COMMISSION FIND THAT FS-B00-89 IS A "FEATURE SHOWN" AS DETERMINED BY THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND ZONING.

Commissioner Kelso seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioner Murphy absent from the meeting.

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FS-B00-117, NEXTEL, 8996 Burke Lake Road

Commissioner Harsel MOVED THAT FS-B00-117 BE SET FOR PUBLIC HEARING.

Commissioner Palatiello seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioner Murphy absent from the meeting.

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RZ-2000-SU-021 - EQUITY HOMES, L.P. (Decision Only)

(The public hearing on this application was held on January 17, 2001. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-2000-SU-021, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED FEBRUARY 6, 2001.

Commissioner Wilson seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioner Murphy absent from the meeting.

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CSPA-80-P-039-3 - THE ORR COMPANY (Decision Only)

(The public hearing on this application was held on January 25, 2001. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION APPROVE CSPA-80-P-039-3, THE ORR COMPANY, SUBJECT TO DEVELOPMENT CONDITIONS DATED MARCH 1, 2001.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Murphy absent from the meeting.

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RZ-2000-SU-043/FDP-2000-SU-043 - WINCHESTER HOMES, INC.

RZ-2000-SU-042/FDP-2000-SU-042 - WINCHESTER HOMES, INC.

RZ-2000-SU-029/FDP-2000-SU-029 - PULTE HOME CORPORATION (Decisions Only)

(The public hearing on these applications was held on February 15, 2001. A complete verbatim transcript of the decisions made is included in the date file.)

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-2000-SU-029 AND THE CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED FEBRUARY 23, 2001.

Commissioner Hall seconded the motion which carried by a vote of 8-2-1 with Commissioners Harsel and Smyth opposed; Commissioner Byers abstaining; Commissioner Murphy absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION APPROVE FDP-2000-SU-029, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED FEBRUARY 21, 2001 AND SUBJECT TO THE BOARD'S APPROVAL OF THE REZONING AND CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Hall seconded the motion which carried by a vote of 8-3 with Commissioners Byers, Harsel and Smyth opposed; Commissioner Murphy absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE FOLLOWING WAIVERS AND MODIFICATIONS:

A WAIVER OF THE 600 FOOT MAXIMUM LENGTH OF A PRIVATE STREET;

WAIVER OF TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS FOR THE COMMON BOUNDARIES BETWEEN UNIT TYPES WITHIN THE ZONING APPLICATION AND THE COMMON BOUNDARIES OF THE CONCURRENT ZONING APPLICATIONS WITHIN CENTREVILLE FARMS;

MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT AND WAIVER OF THE BARRIER REQUIREMENTS ALONG THE NORTHERN, NORTHEASTERN AND SOUTHERN APPLICATION PROPERTY BOUNDARIES;

WAIVER OF CONSTRUCTION OF THE SERVICE DRIVE ALONG (THE) ROUTE 29 FRONTAGE OF THE SITE;

WAIVER OF THE 200 FOOT SETBACK REQUIREMENT FOR RESIDENTIAL STRUCTURES LOCATED ADJACENT TO AN INTERSTATE HIGHWAY;

WAIVER OF THE 200 SQUARE FOOT PRIVACY YARD FOR SINGLE FAMILY ATTACHED UNITS IN LAND BAY 1 AND LAND BAY 3, WEST OF THE SPINE ROAD.

Commissioner Hall seconded the motion which carried by a vote of 6-4-1 with Commissioners Byers, Harsel, Moon and Smyth opposed; Commissioner Alcorn abstaining; Commissioner Murphy absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-2000-SU-042 AND THE CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED FEBRUARY 21, 2001.

Commissioner Hall seconded the motion which carried by a vote of 8-2-1 with Commissioners Harsel and Smyth opposed; Commissioner Byers abstaining; Commissioner Murphy absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION APPROVE FDP-2000-SU-042.

Commissioner Hall seconded the motion which carried by a vote of 8-2-1 with Commissioners Harsel and Smyth opposed; Commissioner Byers abstaining; Commissioner Murphy absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE FOLLOWING WAIVERS AND MODIFICATIONS:

WAIVER OF THE 200 FOOT SETBACK REQUIREMENT OF RESIDENTIAL STRUCTURES FROM INTERSTATE HIGHWAY I-66, PURSUANT TO SECTION 2-414 OF THE ZONING ORDINANCE;

WAIVER OF THE 200 SQUARE FOOT PRIVACY YARD FOR SINGLE FAMILY ATTACHED UNITS PURSUANT TO PARAGRAPH 2 OF SECTION 6-107 OF THE ZONING ORDINANCE WITH THE MEWS TOWNHOUSE UNITS WHICH ARE PROPOSED WITH AN ALTERNATIVE DEVELOPMENT PLAN DEPICTED ON SHEET 17 OF THE CDP/FDP;

MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG THE PORTION OF THE NORTHWEST PROPERTY BOUNDARIES ADJACENT TO TAX MAP 54-4((2))5;

WAIVER OF THE 600 FOOT MINIMUM LENGTH OF PRIVATE STREETS.

Commissioner Hall seconded the motion which carried by a vote of 6-4-1 with Commissioners Byers, Harsel, Moon and Smyth opposed; Commissioner Alcorn abstaining; Commissioner Murphy absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-2000-SU-043 AND THE CONCEPTUAL DEVELOPMENT PLAN, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED FEBRUARY 21, 2001.

Commissioner Hall seconded the motion which carried by a vote of 8-2-1 with Commissioners Harsel and Smyth opposed; Commissioner Byers abstaining; Commissioner Murphy absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION APPROVE FDP-2000-SU-043, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED FEBRUARY 21, 2001

AND SUBJECT TO THE BOARD'S APPROVAL OF THE REZONING AND CONCEPTUAL DEVELOPMENT PLAN.

Commissioner Hall seconded the motion which carried by a vote of 8-3 with Commissioners Byers, Harsel and Smyth opposed; Commissioner Murphy absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE FOLLOWING WAIVERS AND MODIFICATIONS:

MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT AND WAIVER OF THE BARRIER REQUIREMENT ALONG THE EASTERN PROPERTY BOUNDARY AND BETWEEN THE TOWNHOUSE AND SINGLE FAMILY DETACHED UNITS LOCATED WITHIN THE ZONING APPLICATION;

WAIVER OF CONSTRUCTION OF THE SERVICE DRIVE ALONG THE ROUTE 29 FRONTAGE OF THE SITE; AND WAIVER OF THE 600 FOOT MAXIMUM LENGTH OF PRIVATE STREETS.

Commissioner Hall seconded the motion which carried by a vote of 8-2-1 with Commissioners Harsel and Smyth opposed; Commissioner Byers abstaining; Commissioner Murphy absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel set the following order for the agenda items:

1. S00-I-A1 - OUT-OF-TURN PLAN AMENDMENT (Braddock)
2. RZ-2000-MV-046/FDP 2000-MV-046 - HUNTINGTON METRO LLC
3. SE-00-V-052 - EXXON/MOBIL CORPORATION
4. RZ-2000-BR-039 - BRENT PERRY
5. SE-00-B-049 - TWOCHEZ & COMPANY, INC.
SE-99-B-029 - TWOCHEZ & COMPANY, INC.

This order was accepted without objection.

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S00-I-A1 - OUT-OF-TURN PLAN AMENDMENT - Appl. in accordance w/Code of Virginia, Title 15.2, Chap. 22, concerning approx. 13 ac. in the SE quadrant of the intersection of Little River Tnpk. & Heritage Dr. (Tax Maps 70-2((1))1A, 9, & 10; 71-1((1))73 & 74). The area is planned for office use

up to .50 FAR w/a height limit of 60 ft., except for parcel 73 planned for residential use at 8-12 du/ac. This area is zoned mostly C-3 & C-4. These zoning districts allow 1.0 FAR & 1.65 FAR respectively & allow bldg. heights to 120 ft. or more. The Plan Amendment will consider modifying current guidance to better reflect existing development & to consider an option for office use at up to 1.35 FAR w/a height limit of 125 ft. on parcel 70-2((1))1A to create a gateway development for the Annandale Community Business Center. Recommendations relating to transportation improvements may also be modified. BRADDOCK DISTRICT. PUBLIC HEARING.

Mr. Bruce Kriviskey, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the proposed amendment with modifications as found on page 6 of the staff report.

Mr. Kriviskey responded to a question from Commissioner Harsel concerning an existing office building located on the subject property.

Vice Chairman Byers called for speakers from the audience, but received no response. There were no comments or questions from the Commission and no closing staff comments, therefore, Vice Chairman Byers closed the public hearing and recognized Commissioner Harsel for action on this item. (Verbatim excerpts are in the date file.)

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Commissioner Harsel MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THEY APPROVE S00-I-A1, AS SPECIFIED ON PAGE 6 OF THE STAFF REPORT DATED FEBRUARY 15, 2001.

Commissioner Hall seconded the motion which carried by a vote of 10-0-1 with Commissioner Koch abstaining; Commissioner Murphy absent from the meeting.

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The next two cases were in the Mount Vernon District, therefore, Vice Chairman Byers relinquished the Chair to Secretary Harsel.

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RZ-2000-MV-046/FDP 2000-MV-046 - HUNTINGTON METRO LLC -
Appls. to rezone from C-2, C-6, R-4, R-20 & R-30 to PRM to permit mixed use development to include residential, WMATA facilities & permitted secondary uses, such as office & retail at an overall FAR of 0.53 & approval of the conceptual & final development plans on property located in the N.E. quadrant of the intersection of Fort Dr. & N. Kings

Hwy. & S. side of Huntington Ave. on approx. 58.12 ac. Comp. Plan Rec:
Mixed use, public facilities & public park. Tax Map 83-1((1))17; 83-1
((7))2B; 83-3((1))88. MT. VERNON DISTRICT. PUBLIC HEARING.

Ms. Elizabeth Baker, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, PC, reaffirmed the affidavit dated February 13, 2001. There were no disclosures by Commission members.

Ms. Catherine Belgin, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the applications.

Ms. Baker introduced Mr. Neal Teague, with Stout and Teague, Co-Manager of Huntington Metro LLC. She said Huntington Metro, LLC, had been working for approximately five years toward the development of the metro station which was the first planned residential Mixed-Use District to come before the Planning Commission. She explained that although it was a transit-oriented development, it would include a 12 acre community park, Mount Eagle, which contained civil war fortifications. She said the layout of the development represented a new urban form of development. She noted that there would be no change to the existing WMATA facilities, the Huntington Avenue access, or the kiss and ride and bus loading areas. Ms. Baker pointed out that the proposal was in conformance with the Comprehensive Plan Amendment which had been adopted last year. She said that Mr. Teague's extensive outreach with the community had garnered much citizen support.

In response to a question from Commissioner Byers, Ms. Baker said the applicant would have no objection to adding a proffer which required that there be no reduction in the current number of parking spaces during construction. Commissioner Byers requested that Ms. Baker meet with him to discuss the potential need for the park property to be used for parking.

Ms. Baker agreed to a request from Commissioner Palatiello that a proffer require the dispersion of affordable dwelling units within the development. She also responded to a question from Commissioner Palatiello about the possibility of seeking a waiver from the Board of Supervisors for a reduction in parking.

In response to a question from Commissioner Byers, Ms. Baker said she would add a statement in Proffer No. 9 which required that purchasers be informed that the homeowners association would be responsible for the maintenance of private streets.

Ms. Baker responded to a question from Commissioner Harsel concerning the leasing of the park property from WMATA.

Secretary Harsel called the first listed speaker and reviewed the rules for testimony before the Commission.

Mr. George Huxhold, 5902 Mt. Eagle Drive, #1504, Alexandria, President, Montebello Condominium Association, said that the Association conditionally supported the proposed development. He said two issues remained; the continued safe and convenient access to Metro and the need for an agreement by all parties to continue Montebello's current access through Mount Eagle Park. (A copy of his remarks is in the date file.)

Mr. Huxhold and Mr. Sid Steele, also appearing on behalf of the Montebello Condominium Association, responded to questions from Commissioners Byers, Palatiello, and Alcorn about Metro access and the agreement to allow Montebello continued access through the park.

Ms. Belgin and Mr. Huxhold responded to questions from Commissioner Wilson about crosswalks, sidewalks and pathways.

Mr. Allen Harvey, 1018 DeSale Street, SW, Vienna, said he owned a small piece of property at 5826 Biscayne Drive, which provided the only available route for fire and rescue vehicles to access the main level of the Metro station. He added that he had offered to sell the property at the appraised value to WMATA.

Commissioner Byers and Mr. Harvey discussed public safety access to the Metro Station. Commissioner Kelso pointed out that Appendix 10 contained a memorandum from the Fire and Rescue Department which stated that the proposed development currently met fire protection guidelines. Commissioners Wilson and Hall and Mr. Harvey further discussed this issue.

Mr. Mack B. Rhoades, Post Office Box 7041, Alexandria, President, Huntington Community Association, expressed support for the proposed development. Citing unsafe conditions, he said the Association could not support any additional traffic on Huntington Avenue.

Mr. Bob Lowery, 5808 North Kings Highway, Alexandria, expressed concern about the generation of additional traffic in the area and requested that this issue be reconsidered.

Mr. John Joyce, 5707 Indian Court, #2D, Alexandria, President, Huntington Club Condominium Association, expressed support for the proposed development; however, he also cited unsafe traffic conditions in the area.

In response to a question from Commissioner Byers, Ms. Baker said she would add language to Proffer Number 6 which addressed a conservation easement for the northern portion of the future park area.

Ms. Karen Stallings, 2701 Farnsworth Drive, Annandale, Jefferson Manor Civic Association, expressed support for the proposed development, but expressed concern about automobile and pedestrian traffic in the area.

Mr. Stewart Schwartz, Director, Coalition for Smarter Growth, 1777 Church Street, NW, Washington, DC, said the Coalition supported the proposed development. (A copy of his remarks is in the date file.)

Mr. Christopher Stapko, 2418 Fort Drive, Alexandria, expressed support for the proposed development.

There were no further speakers, therefore Secretary Harsel called upon Ms. Baker for a rebuttal statement.

Ms. Baker said that she would revise the proposed proffers to address issues raised tonight and then recognized Mr. Teague who thanked Commissioners Byers and Kelso and the community for their help and support in the development of this area.

In response to a question from Commissioner Byers, Ms. Baker said she would revise Proffer Number 7E to identify the location of the sidewalks.

Ms. Baker responded to questions from Commissioner Wilson about access from the proposed development to the Metro Station.

Commissioner Kelso, noting that Appendix 11 indicated that area schools were currently projected to be near or above capacity, requested the applicant consider making a contribution to a public school fund to alleviate these conditions. Ms. Baker said the applicant would consider this suggestion.

Mr. Teague responded to a question from Commissioner Byers about access to the Metro Station from the proposed parking garage.

In response to a question from Commissioner Hall, Ms. Leslie Johnson, ZED, DPZ, said that staff did not take a position on the capacity of the school system when evaluating an application.

Ms. Baker responded to a question from Commissioner Harsel about the location of the proposed daycare center and transportation strategies to reduce traffic.

There were no further comments or questions from the Commission and no closing staff remarks, therefore, Secretary Harsel closed the public hearing and recognized Commissioner Byers for action on this agenda item. (Verbatim excerpts are in the date file.)

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Commissioner Byers MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON RZ AND FDP-2000-MV-046 TO A DATE CERTAIN OF MARCH 22, 2001.

Commissioners Kelso and Hall seconded the motion which carried unanimously with Commissioner Murphy absent from the meeting.

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The Commission recessed at 10:55 p.m. and reconvened at 11:10 p.m.

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SE-00-V-052 - EXXON/MOBIL CORPORATION - Appl. under Sect. 5-604 of the Zoning Ord. to permit a petroleum storage facility on property located at 8200 Terminal Rd. on approx. 29.54 ac. zoned I-6. Tax Map 99-3((1))pt. 12. MT. VERNON DISTRICT. PUBLIC HEARING.

Keith Martin, Esquire, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, PC, reaffirmed the application dated December 5, 2000. There were no disclosures by Commission members.

Commissioner Byers asked that Secretary Harsel ascertain whether there were any speakers present for this application. There being none, she asked that presentations by staff and the applicant be waived. No objections were expressed, therefore, she closed the public hearing and recognized Commissioner Byers for action on this application. (Verbatim excerpts are in the date file.)

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Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SE-00-V-052, SUBJECT TO DEVELOPMENT CONDITIONS DATED MARCH 1, 2001.

Commissioners Alcorn and Kelso seconded the motion which carried unanimously with Commissioners DuBois and Wilson not present for the vote; Commissioner Murphy absent from the meeting.

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Vice Chairman Byers resumed the Chair.

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RZ-2000-BR-039 - BRENT PERRY - Appl. to rezone from R-1 & WS to R-4 & WS to permit cluster residential development at a density of 2.57 du/ac & waivers of the min. district size & open space requirements on property located W. of the intersection of Verde Vista Dr. & Lamarre Dr. on approx. 1.94 ac. Comp. Plan Rec: 3-4 du/ac. Tax Map 57-3((1))5 & 6. BRADDOCK DISTRICT. PUBLIC HEARING.

Ms. Sara Kroll, with Land Design Consultants, reaffirmed the affidavit dated September 28, 2000. There were no disclosures by Commission members.

Mr. James Albright, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

Mr. Albright responded to questions from Commissioner Harsel about the proposed amount of undisturbed open space required to meet the standards of the Watershed Protection Overlay District.

Ms. Kroll stated that the applicant was seeking approval to rezone 1.94 acres from R-1 to R-4 for the development of a cluster subdivision of five single family detached homes. She explained that the proposed development had originally been planned for an R-4 conventional layout but had been changed to a clustered subdivision due to citizen concerns about tree preservation. She said the proposed homes would have individual driveway access to Lamarre Drive, a curb and gutter roadway, and a sidewalk along the frontage of the property. She noted that the development would take place in two phases at the request of the property owners. She described the footprint of the houses and the size of the lots. In conclusion Ms. Kroll said that the proposed development was in accordance with the recommendations of the Comprehensive Plan and compatible with adjoining developments.

Vice Chairman Byers called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There were no questions or comments from the Commission and staff had no closing remarks, therefore, Vice Chairman Byers closed the public hearing and recognized Commissioner Harsel for action on this application. (Verbatim excerpts are in the date file.)

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Commissioner Harsel MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON RZ-2000-BR-039 TO A DATE CERTAIN OF THURSDAY, MARCH 15, 2001.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Murphy absent from the meeting.

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SE-00-B-049 - TWOCHÉZ & COMPANY, INC., T/A HERITAGE MALL SERVICE CENTER - Appl. under Sects. 9-610 & 9-616 of the Zoning Ord. to permit a driveway for uses in a C District & waivers of the minimum lot size & lot width requirements on property located in the N.E. quadrant of the intersection of Commons Dr. & Rectory La. on approx. 5,262 sq. ft. of land zoned R-20. Tax Map 70-2((1))23 pt. (Concurrent w/SE-99-B-029.) BRADDOCK DISTRICT.

SE-99-B-029 - TWOCHEZ & COMPANY, INC. - Appl. under Sects. 4-604 & 9-610 of the Zoning Ord. to permit a service station, truck rental establishment & waivers of the minimum lot size & lot width requirements on property located at 7824 Rectory La. on approx. 19,985 sq. ft. zoned C-6. Tax Map 70-2((1))1D1 pt. & 2C pt. (Concurrent w/SE-00-B-049.) BRADDOCK DISTRICT. JOINT PUBLIC HEARING.

Ms. Lori Greenlief, with Jane Kelsey and Associates, Inc., reaffirmed the affidavits dated September 8, 1999 and October 13, 2000. There were no disclosures by Commission members.

Ms. Amy Parker, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended denial of the applications because an intensification of uses on the property was not in harmony with the Comprehensive Plan or in conformance with the Zoning Ordinance.

Ms. Parker responded to questions from Commissioner Harsel about the number of existing and required parking spaces on the site.

Ms. Greenlief stated that Mr. Gordon Duchez was the owner and operator of Heritage Mall Citgo, a neighborhood gas station, which drew its customers from the residents of the surrounding apartments and condominiums. She noted that Mr. Duchez had rented U-Haul trucks on the site since the late 1960s and that the question of whether this use was a grandfathered use would be considered by the Board of Zoning Appeals (BZA) in April. Addressing issues raised by staff, she pointed out that the elimination of a dumpster on one of the parking spaces and a reduction in the size of the truck storage area would permit the required ten parking spaces; that the sign was located on the C-6 portion of the site, not the R-20 portion; and that the three air pumps in the R-20 portion could be relocated to the C-6 portion of the property. She explained that on a 1968 zoning map the subject area had been shown as commercial, but due to an error on the 1978 zoning map, it was shown as residential. She said the applicant had filed a special exception application to address this problem rather than seeking a Board's Own Motion to correct the map. She pointed out the request to allow a commercial driveway to access a residential street was unique because the apartment building and the shopping center were both owned by the same person. Ms. Greenlief showed the Commission photographs depicting the screening and buffering between the service station and the adjacent residential development. (Copies of these photographs are in the date file.) She said supplemental plantings and an enlargement of the buffer area would fully screen the service station from the surrounding residential areas. She submitted a petition signed by area residents and a letter from Mr. Ron Ramsay, Property Manager of the Patriot Village Apartments, supporting the applications. (The petition and the letter are in the date file.) In conclusion, she said the existing use of the subject property had worked well for 30 years, had community support, and with the imposition of the development conditions, would meet standards for approval. She requested favorable consideration.

In response to a question from Commissioner Harsel, Ms. Greenlief explained the reasons for the delay between the time the first application had been filed and tonight's public hearing.

In response to a question from Commissioner Wilson, Ms. Leslie Johnson, ZED, DPZ, explained that in lieu of a Board's Own Motion to correct the mapping error, the applicant had chosen to file a special exception application for the approval of a commercial entrance on residential property. Responding to another question from Commissioner Wilson, Ms. Jane Kelsey, with Kelsey and Associates, said that if special exception approval was granted allowing the addition of the U-Haul truck rental establishment to the existing service station, the BZA hearing would not be necessary.

Vice Chairman Byers called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There were no further comments or questions from the Commission and staff had no closing remarks, therefore, Vice Chairman Byers closed the public hearing and recognized Commissioner Harsel for action on these applications. (Verbatim excerpts are in the date file.)

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Commissioner Harsel MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS DENIAL OF SE-99-B-029 BECAUSE IT DOES NOT MEET GENERAL STANDARDS 1, 3, 5, 7 AND 8, OR ADDITIONAL STANDARDS 2 AND 6.

Commissioner Alcorn seconded the motion which carried by a vote of 10-0-1 with Commissioner Moon abstaining; Commissioner Murphy absent from the meeting.

Commissioner Harsel MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS DENIAL OF SE-00-B-049, WHICH IS THE R-20 SITE, BECAUSE IT DOES NOT MEET GENERAL STANDARDS 1, 3, 5, 7 AND 8, ADDITIONAL STANDARDS 2 AND 4, AND SPECIAL EXCEPTION STANDARD 9-616, NUMBER 2.

Commissioner Alcorn seconded the motion which carried by a vote of 10-0-1 with Commissioner Moon abstaining; Commissioner Murphy absent from the meeting.

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The meeting was adjourned at 12:01 a.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

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CLOSING

March 1, 2001

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Linda B. Rodeffer

Approved on: March 13, 2002

Mary A. Pascoe, Clerk to the
Fairfax County Planning Commission